

an Indian, negro, mustee or mulatto man or woman, or any person of mixed blood to the third generation, bond or free, he shall, by judgment of the county court, forfeit and pay the sum of one hundred dollars to the use of the county.

6. No minister of the gospel, or justice of the peace within this State, shall presume to marry a white man or woman with an Indian, negro, mustee or mulatto woman or man, or any person of mixed blood, as in the preceding section, knowing them to be so, upon pain of forfeiting and paying for every such offence, the sum of one hundred dollars, to be recovered and applied as in the preceding section.

7. Upon the conviction of any person for marrying an infant female under fifteen years of age, without the written consent of her father, it shall be the duty of the court, before whom the same is had, to appoint one or more trustees to take charge of the property belonging to the female so married; and the whole estate, both real and personal, vested in the said female, at the time of such marriage, and all the right, title and interest, which she had at such time to any property, either at law or in equity, shall be vested in and belong to the trustee or trustees so appointed by the court, and he, she or they shall have full power and authority to take all such estate into his, her or their possession, and if necessary to sue for and recover the whole or any part of said property, in his, her or their own name, as trustee or trustees aforesaid, and the said trustee or trustees shall hold the said estate and property, so received and recovered, to and for the following use and trust to wit: to the sole and separate use of the said female, during the continuance of the said marriage, free and separate from the control of her husband. And upon the termination of the said marriage, if the said female shall be then living, the said trustee or trustees shall convey the said estate to the said female, absolutely and in fee simple; and if said female shall not be then living, then the said estate shall be conveyed to such child or children, as she may leave surviving her, share and share alike; and in default of such children, then the said estate to be conveyed to such person or persons, as would have been distributees or heirs at law, according to the nature of the estate, if she had died unmarried; and the husband, convicted of the offence of marrying an infant female under fifteen years of age contrary to law, shall in no case be permitted to have, hold, use or enjoy, sell or dispose of any part of the estate, to which his wife was entitled at the time of such marriage; and all sales, dispositions and releases made by him of such property before such conviction, shall be, and are hereby declared to be null and void, nor shall he, in case of the death of his said wife, be entitled to administration on her estate, nor to any distributive share thereof, nor to any right of courtesy therein.

8. The said trustee or trustees shall give bond, payable to the State of North Carolina, with security, in such a sum as the court

Penalty on ministers or justices for marrying a white person to an Indian or person of color.

What disposition to be made of the property of an infant female under fifteen years of age, when she has been married contrary to law.

The trustees of such infant female's property to give bond.

6. 1741, c. 23, s. 5.

7. 1820, c. 1041, s. 3.

8. 1820, c. 1041, s. 4.